

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

704 KAR 3:480, Reading diagnostic and intervention grants (Final)

Applicable Statute or Regulation:

KRS 156.160; KRS 158.070; KRS 158.792; KRS 158.794

Action Question:

Should the Kentucky Board of Education give final approval to 704 KAR 3:480 in order to align the regulation with the new requirements in KRS 158.792?

History/Background:

Existing Policy. In 1999, the Kentucky Board of Education (KBE) promulgated an administrative regulation that established an application process and the criteria for funding grants from the Early Reading Incentive Grant Program.

In the 2005 regular session, the Kentucky General Assembly passed SB 19, creating a new section of KRS 158.792 and amending the language of KRS 164. The bill was signed by the Governor and took effect on March 3, 2005. Among other things, the bill requires the KBE to “promulgate administrative regulations, based on recommendations from the secretary of the Education Cabinet, the Reading Diagnostic and Intervention Grant Steering Committee and the Collaborative Center for Literacy Development” to establish an application process and the selection criteria for funding reading diagnostic and intervention grants from the Read to Achieve Act of 2005.

The purpose of the grant program is to provide funds to schools that do not have funds from other grant sources to implement research-based intervention strategies for struggling readers in the primary program. The proposed amendments to 704 KAR 3:480 will bring the regulation into conformance with the mandates in KRS 158.792. The amended regulation (Attachment A) includes the recommended changes to the regulation and technical editing changes in formatting required by the Legislative Research Commission.

The only non-technical change recommended from the version previously seen by the Board at the October meeting is the deletion of a sentence from the end of Section 1, Selection of Grants (1) at the recommendation of the steering committee. The sentence had read “A school that has been awarded funds from other grant sources to implement a reading diagnostic and intervention program shall not be eligible for a reading diagnostic and intervention grant.” The Steering Committee found inclusion of this language in the regulation redundant and unnecessary, as schools currently funded through programs such as the federal Reading First are already not

permitted to adopt intervention programs other than what they have in place under Reading First guidance.

Impact on Getting to Proficiency:

“Diagnostic reading assessments and intervention services for those students who need them to learn to read at the proficient level” will be provided through short-term intensive instruction in the essential skills necessary to read. “Reading proficiency is a gateway skill necessary for all Kentucky students to achieve the goal that all children learn to read well before exiting the primary program.” (KRS 158.791)

Staff Recommendation and Rationale:

Staff recommends that the Kentucky Board of Education give final approval to 704 KAR 3:480 as proposed. The proposed language brings the regulation in conformance with KRS 158.792.

Groups Consulted and Brief Summary of Responses:

Read to Achieve: Reading Diagnostic and Intervention Steering Committee
Collaborative Center for Literacy Development
Local Superintendents Advisory Council (LSAC)

The first two groups are supportive of the proposed language. Input from LSAC will be forwarded to the KBE via a letter from that body.

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Date:

December 2005

